

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION**

JENNIFER OLDHAM,	:	
Plaintiff	:	
	:	1:22-cv-513-TDS-JEP
v.	:	
	:	
UNIVERSITY OF NORTH CAROLINA;	:	
LAWRENCE R. CUNNINGHAM, Individually;	:	
LORENZO GALLO, JR., Individually;	:	
RONALD MILLER, Individually;	:	
Defendants.	:	

**NOTICE OF INTENTION TO
STAND ON COMPLAINT (D.E. 1)**

Plaintiff Jennifer Oldham, by and through her counsel, respectfully submits this notice of her intention to stand on her original Complaint and offers as follows:

1. Plaintiff filed her original Complaint on July 5, 2022. (D.E. 1)
2. On June 13, 2023, in response to Defendants' Motions to Dismiss the original complaint and Plaintiff's Motion to Amend, the Court issued an Order granting in part and denying in part Defendant UNC's Motion to Dismiss. Plaintiff's Title IX claims against UNC were largely dismissed as time barred. The Title IX allegations of Retaliation and Failure to Report against UNC were allowed to continue. (D.E. 41)

3. The Court's Order as it related to the individual defendants dismissed with prejudice Plaintiff's state claims in the original complaint of invasion of privacy and civil conspiracy, and the claim of defamation, and denied Plaintiff's motion to amend those claims in the proposed amended complaint as futile. Plaintiff's state claims of negligent infliction of emotional distress, negligence and gross negligence were dismissed without prejudice, and Plaintiff's motion to amend those claims was denied without prejudice. (D.E. 41)

4. On June 26, 2023, Plaintiff filed a "First Amended Complaint in Conformance with Court Memorandum and Order [D.E. 41]." (D.E. 42)

5. On July 31, 2023, after carefully weighing the merits of proceeding against seeking immediate appellate review of the Court's order of June 13, 2023, Plaintiff filed a Notice of Voluntary Dismissal Without Prejudice only as to the claims against Defendants as reflected in the First Amended Complaint. (D.E. 45)

6. On July 31, 2023, Plaintiff filed Notice of Withdrawal of Pleading (First Amended Complaint). (D.E. 46)

7. Plaintiff provides this notice of her intention to stand on her Original Complaint (D.E. 1).

8. Plaintiff asks the Court to enter a final order as to all Defendants and all claims.

This is the 31st day of July, 2023.

Respectfully submitted,

KERSTIN WALKER SUTTON PLLC

/s/ Kerstin W Sutton

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CERTIFICATE OF SERVICE

I certify that on July 31, 2023, I caused a true and correct copy of the foregoing Notice to be served upon all Counsel of Record via the Court's ECF System.

KERSTIN WALKER SUTTON PLLC

/s/ Kerstin W Sutton

Kerstin W. Sutton, Esq.
Counsel for the Plaintiff